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PATENT APPLICATION

Docket No. 15436.436.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Ralph H. Johnson

Serial No.:

10/026,020

) Art Unit
) 2828

Filed:

December 27, 2001

Conf. No.:

6112

For:

VERTICAL CAVITY SURFACE EMITTING
LASER INCLUDING INDIUM AND
ANTIMONY IN THE ACTIVE REGION

Examiner:

Dung T. Nguyen

Customer No.:

022913

TRANSMITTAL FOR RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response To Notice of Non-Compliant Amendment for entry in the above-identified application.

To secure the approval of the Examiner for proposed amendments, enclosed are the following:

* Admitted only in California

† Admitted only in New York

- X Complete Listing of Claims reflecting all Amendments;
- X Petition for a Four-Month Extension of Time; and
- X PTO-2038 in the amount of \$1480.00 to cover the fee for the extension of time.
- X A Certificate of Express Mail Under 37 C.F.R. § 1.10.
- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.
 - X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - X Any patent application processing fees under 37 CFR 1.17.
- X A duplicate copy of this transmittal letter is attached.

Dated this 28 day of July 2004.

Respectfully submitted,



Eric L. Maschoff
Attorney for Applicant
Registration No. 36,596
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)
Examiner:	Dung T. Nguyen)
)
Customer No.:	022913)

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Mail Stop AMENDMENT – FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29 day of July 2004.

- Transmittal Letter (2 pages) (in duplicate)
- Response to Notice of Non-Compliant (9 pages)
- Petition for Four-Month Extension of Time
- PTO-2038 Credit Card Payment Form in the amount of \$1480.00
- Postcard

Respectfully submitted,

Kimberly Kendrick, Paralegal to Eric L. Maschoff
Customer No. 022913